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HUB LAW OFFICES

1 LEWIS, D'AMATO, BRISBOIS & BISGAARD  
2 DAVID B. PARKER  
3 GRAHAM E. BERRY  
4 JAYESH PATEL  
221 North Figueroa Street, Suite 1200  
Los Angeles, California 90012  
(213) 250-1800

5 JOSEPH A. YANNY, ESQ.  
6 1925 Century Park East  
7 Suite 1260  
Los Angeles, California 90067  
(213) 551-2966

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8 Attorneys for Petitioners JOSEPH A. YANNY, an individual and  
9 JOSEPH A. YANNY, a Professional Law Corporation

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 FOR THE COUNTY OF MARIN

13	CHURCH OF SCIENTOLOGY	)	No. 152229
14	INTERNATIONAL, A California	)	
15	not-for-profit religious	)	REPLY IN SUPPORT OF EX PARTE
16	corporation,	)	APPLICATION OF JOSEPH A. YANNY
17		)	TO INTERVENE IN THE ARMSTRONG
18	Plaintiff,	)	II CASE
19		)	
20	vs.	)	Date: March 20, 1992
21		)	Time: 9:00 a.m.
22	GERALD ARMSTRONG and DOES 1	)	Department: 4
23	through 25, inclusive,	)	
24		)	
25	Defendants.	)	
26		)	
27		)	
28		)	

21 Plaintiff's Opposition to Joseph A. Yanny's ("Yanny") Ex  
22 Parte Application to Intervene in Armstrong II is significant for  
23 the history, facts and judicial statements it fails to disclose.  
24 See Yanny Amicus Curiae Brief.

25 For example, Scientology's statement of facts omits all  
26 reference to the devastating decision of Judge Breckenridge in  
27 Church of Scientology of California v. Gerald Armstrong, L.A.S.C.

1 No. C 420153.<sup>1</sup> Furthermore, Scientology ignores the fact that they  
2 lost the Yanny I trial and that their preliminary injunction  
3 therein was dissolved. Moreover, Scientology makes no mention of  
4 Judge Cardenas' express ruling in Yanny II permitting Yanny to  
5 interview Armstrong, associate with Armstrong, and gather evidence  
6 from Armstrong for his defense in Yanny II. Notwithstanding, on  
7 March 3, 1992, Scientology told this Court that the temporary  
8 restraining order they had just obtained prevented Armstrong from  
9 actively aiding persons engaged in litigation adverse to the  
10 Church of Scientology.

11 Scientology's argument is an amazing one! Scientology  
12 claims they can muzzle Armstrong and prevent him from assisting  
13 Yanny without cutting across an express order to the contrary by  
14 Judge Cardenas. On top of that, Scientology makes the ridiculous  
15 accusation that Yanny is violating Judge Cardenas' order by  
16 seeking to intervene herein and to protect Armstrong's ability to  
17 assist and advise in the defense of Yanny II. Not only did Judge  
18 Cardenas expressly permit this, but Scientology's second cause of  
19 action in Yanny II is premised on the alleged legal representation  
20 of Armstrong by Yanny. This is yet another example of Scientology  
21 trying to engineer and manipulate a one-sided legal contest.

22 In short, the opposition to Yanny's Ex Parte application  
23 only establishes what Yanny claims: that Armstrong II is an  
24 untimely and improper attempt to interfere with Yanny's access to

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25 <sup>1</sup> Such omissions permeate plaintiff's papers. For example,  
26 in their motion, plaintiff fails to note an official LAPD  
27 investigation of Armstrong. In fact, Los Angeles Police  
28 Chief Daryl Gates publicly denied that the investigation  
had ever been officially sanctioned and suspended the  
officer involved. See Yanny Amicus Curiae Brief.

1 Gerald Armstrong, and is an attempt by Scientology to cripple part  
2 of Yanny's defense in Yanny II.

3 For the foregoing reasons, Yanny's motion to intervene  
4 should be granted.

5  
6 Dated: March 16, 1992.

LEWIS, D'AMATO, BRISBOIS & BISGAARD

7  
8 By: Graham E. Berry  
9 Graham E. Berry  
10 Attorneys for Movant and Proposed  
11 Intervenor Joseph A. Yanny, an  
12 individual, and Joseph A. Yanny,  
13 a professional corporation.  
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